

Independent claim 1 (from which claims 2, 3, and 5 all ultimately depend) recites an image output apparatus that includes Applicant's particular index registering circuit. This circuit registers recognized index information (recognized by the index recognizing circuit) and corresponding storage area designation information. The storage area designation information designates a storage area in the image storing section. It is important to note that the index registering circuit is described as generating the storage area designation information upon recognition of the index information by the image recognizing circuit. In other words, the index registering circuit does not generate storage area designation information until the index information is recognized (by the image recognition circuit).

Applicant's apparatus, arranged with such an index recognizing circuit, is neither taught nor suggested by either Morisawa or Melen. The Office Action concedes that Morisawa does not teach this structure and therefore relies on Melen as purportedly teaching the above described features of the present invention. However, Melen fails to remedy Morisawa for at least the following reasons.

According to Applicant, Melen discloses a scanning system that is set up to scan a control sheet 102 as well as a document 104. The control sheet 102 carries an identifier that is associated with a location 120 to which scanned document information 110 is to be routed. By scanning the control sheet either immediately prior or immediately following document 104, the scanned document information is routed to the location that is identified by the document identifier.

In Melen's system, Applicant notes, a list is prepared beforehand to correspond identifiers to specific locations 120. When a control sheet is scanned, the identifier carried thereon is image-recognized. Then, the system determines which of the

identifiers 118 on the list matches the image-recognized identifier. The system then routes the scanned document information to the location that corresponds to the determined identifier. In other words, according to Melen's system, the routing locations for scanned document information must be registered in the list beforehand. This being the case, the identifiers 118 and locations 120 have a one-to-one correspondence. This brings up the problem, however, that, if a user chooses a wrong control sheet 102, the scanned document information will be routed to the wrong location.

Applicant's claimed invention operates completely different. According to the present invention, storage area designation information is not generated until the index information carried on the index sheet has been recognized by the image recognizing circuit. The present invention does not rely upon a preset one-to-one correspondence between index information and storage area designation information, such correspondence existing before recognition of the index information. As a result, unlike Melen's system, in Applicant's, no inconsistency is possible between the index information and a document to be scanned.

Neither Morisawa nor Melen teaches or fairly suggests Applicant's described index registering circuit that generates storage area designation information upon recognition of index information by an image recognizing circuit. Nothing in the combined teachings of these two patents would have motivated those of ordinary skill to have developed such a circuit. Hence, this rejection is overcome and its withdrawal is respectfully requested.

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Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as purportedly obvious based on Morisawa et al. '214 in view of Melen, and further in view of Morisawa et al. (U.S. Pat. No. 5,933,548).

In addition, claim 5 is rejected under 35 U.S.C. 103(a) as purportedly obvious based on Morisawa et al. '214 in view of Melen, and further in view of Machino et al. (JP 09-221263).

These two rejections are addressed together as similar issues are applied to both. Applicants also respectfully traverse both rejections.

The deficiencies of Morisawa '214 and Melen are described above. Neither Morisawa '548 nor Machino remedies these deficiencies. Neither of the secondarily cited patents teaches or fairly suggests an image output apparatus arranged with an index registering circuit that generates storage area designation information at the time of recognition of index information. Nothing in the combined teachings of these applied patents would have motivated those of ordinary skill to have arrived at the claimed invention. Hence, both rejections also are overcome, and withdrawal of both also is requested.

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Applicant respectfully submits that this Request for Reconsideration and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 032739.073.

If an extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 032739.037.

Respectfully submitted,

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